



Glenn County Health Services

Director-Health Services Agency

Scott Gruendl

Deputy Director Behavioral Health

Director of Mental Health
Maureen Hernandez

Chief Deputy Director

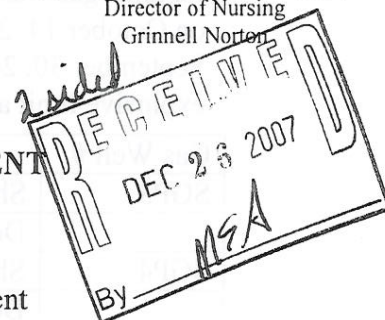
Administration
Cecilia Hutsell

Deputy Director Public Health

Director of Nursing
Grinnell Norton

NOTICE AND ORDER 01-07

GLENN COUNTY HEALTH DEPARTMENT LOCAL ENFORCEMENT AGENCY



☐ ADMINISTRATION

242 N. Villa Ave.
Willows, CA 95988
(530) 934-6582
FAX: (530) 934-6592

☒ ENVIRONMENTAL HEALTH

257 N. Villa Ave.
Willows, CA 95988
(530) 934-6102
FAX: (530) 934-6103

☐ FISCAL

247 N. Villa Ave.
Willows, CA 95988
(530) 934-6347
FAX: (530) 934-6369

MENTAL HEALTH

☐ 242 N. Villa Ave.
Willows, CA 95988
(530) 934-6582
FAX: (530) 934-6592

☐ 604 E. Walker St.
Orland, CA
(530) 865-6459
FAX: (530) 865-6483
Mailing Address
242 N. Villa Ave.
Willows, CA 95988

☐ PUBLIC HEALTH

240 N. Villa Ave.
Willows, CA 95988
(530) 934-6588
FAX: (530) 934-6463

☐ SUBSTANCE ABUSE

1187 E. South St.
Orland, CA 95963
(530) 865-1146
FAX: (530) 865-1150
Mailing Address
P.O. Box 1174 E South St
Orland, CA 95963

Local Enforcement Agency: Glenn County Health Department

To: Facility Operator:

Dan Obermeyer, Director
Glenn County Planning and Public Works Dept.
P.O. Box 1070
Willows, CA 95988

Property Owner:

Patrick Foley
P.O. Box 230
Willows, CA 95988

102-B

Location of Violation:

Glenn County Landfill (11-AA-0001), five miles west of I-5 on County Road 33, a portion of APN 024-220-016-9

BACKGROUND

Landfill gas violations caused this facility to be placed on the Inventory of Solid Waste Facilities that Violate State Minimum Standards on June 28, 2004. On October 28, 2004, the Glenn County Health Department issued a Notice and Order requiring the operator to cease gas violations at the landfill boundaries by June 28, 2006. The operator met that requirement on September 30, 2005 by demonstrating compliance with landfill gas regulations at the facility boundary. On December 22, 2005 this facility was removed from the Inventory of Solid Waste Facilities that Violate State Minimum Standards. Since removal from the inventory, new landfill gas violations have occurred and on August 17, 2007 this facility was again listed on the Inventory of Solid Waste Facilities that Violate State Minimum Standards for gas violations. This Notice and Order for State Minimum Standard violations of landfill gas migration requirements is issued pursuant to the requirements of Title 14, Section 18365.

1. On March 28, 2003 CVRWQCB staff requested the construction of landfill gas monitoring wells. These wells were constructed to evaluate if landfill gas was contributing to a release to groundwater.
2. The existing gas monitoring wells are completed within ten feet (or less) of deposited waste.
3. The operator instituted a program of monthly gas monitoring upon discovery of the landfill gas violation.
4. The operator prepared a landfill gas remediation plan on April 16, 2004. The remediation plan requires monthly gas monitoring and describes acquisition

of the landfill and a 500-foot buffer zone around the existing SWF. The plan calls for revision of the SWF permit to move the permitted facility boundary to the edge of the buffer zone.

5. Landfill gas was first detected above 5% by volume in air at the permitted facility boundary on October 14, 2003. The landfill gained compliance with landfill gas requirements on September 30, 2005. Since that date landfill gas has been detected at levels above the lower explosive limit at the following wells:

Gas Well #		# of violations
SGP3	Shallow	1
	Deep	18
SGP4	Shallow	0
	Deep	0
SGP5	Shallow	3
	Deep	4
SGP6	Shallow	29
	Deep	30

Gas Well #		# of violations
SGP7	Shallow	1
	Deep	1
SGP8	Shallow	4
	Deep	4
SGP9	Shallow	14
	Deep	11
SGP10	Shallow	2
	Deep	2

6. The land surrounding the site is used for grazing. The nearest off-site residence is a sheepherder's cabin used on a seasonal basis and located approximately 1,800 feet west of the facility boundary. The nearest permanent residence is located more than a mile from deposited waste.
7. No landfill gas has been detected in onsite or offsite structures or in shallow (bar-hole punch) tests taken at the facility boundaries.
8. No dead vegetation or other evidence of migrating landfill gas has been observed at the facility or on adjacent property.
9. The CVRWQCB issued a Notice of Violation concerning a release of waste to groundwater to the operator on January 24, 2005.
10. The CVRWQCB issued revised WDRs on 10/27/2006 which found that VOC detections in soil gas around the landfill may be an indication that landfill gas migration is contributing to observed groundwater impacts (a "release") at the site. The WDRs directed the operator to prepare an Initial Engineering Feasibility Study for a Corrective Action Program by June 1, 2007.
11. The 10/27/2006 WDRs state that "Methane and other landfill gases shall be adequately vented, removed from the Unit, or otherwise controlled to prevent the danger of adverse health effects, nuisance conditions, degradation, or the impairment of the beneficial uses of surface water or groundwater due to migration through the unsaturated zone."
12. The facility operator proposes to resolve the violation of Title 27 Division 2, Section 20921 (a)(2) by acquiring title to a buffer zone around the landfill and by obtaining a revised solid waste facility permit that will adjust the facility boundaries to include a buffer zone around the existing solid waste facility. Methane gas detection is not expected at this new boundary.
13. On October 17, 2007, the Glenn County Health Department approved an RDSI amendment that proposes a cell-sequencing plan to bring the unlined Phase A to interim closure by 1/1/12.

Actions Taken to Date to acquire control over the landfill and buffer zone:

1. The operator prepared a *Landfill Strategic Plan for Glenn County* (8/7/06) to study options for the future development of the landfill. The study determined that building a lined landfill expansion is the most feasible option. Construction and operation of a

transfer station is a slightly less viable option. The operator has initiated preparation of an EIR for the *Strategic Plan*. The Strategic Plan EIR is due in April, 2008. The operator expects to receive direction from the Glenn County Board of Supervisors regarding the future of the landfill soon after that.

2. The operator obtained approval from the Glenn County Board of Supervisors to initiate eminent domain proceedings to acquire control over the landfill and a 500-foot buffer zone around the landfill on February 20, 2007.

Findings:

1. The LEA and Operator have determined that no health or safety hazard has been identified that can be attributed to the gas violation except that landfill gas may be releasing contaminants to groundwater.
2. The operator is working with RWQCB to design appropriate control measures to control the release from the landfill.

NOTICE

Regulations Violated:

California Code of Regulations Title 27 Division 2, Section 20921(a)(2) Gas Monitoring and Control.

Description of Violations:

Landfill gas above 5% by volume in air (the lower explosive limit) has been detected at the current landfill boundary monthly since September 30, 2005.

WAIVER

Landfill gas monitoring shows that landfill gas is migrating offsite. The Glenn County Health Department found that adjacent properties are safe from hazard or nuisance caused by landfill gas movement in a letter to CIWMB staff dated November 30, 2007, attached.

Therefore, pursuant to Title 27, Section 20919 the Glenn County Health Department, acting as the Local Enforcement Agency, hereby waives the requirement for construction of a gas control system.

This waiver will immediately be withdrawn if the LEA determines that landfill gas movement is causing hazards or nuisances. This waiver does not relieve you from any monitoring requirements or from any requirement to construct a gas control system by the Central Valley Regional Water Quality Control Board or by other agencies.

ORDER

You are hereby ordered to complete the following:

Task	Compliance Date
Monitor gas levels at gas monitoring wells on the facility boundary and within all facility structures.	Monthly
Submit updated gas remediation plan with timelines for acquisition of remediation buffer property and revision of permit to increase "permitted facility boundary."	6/30/2008
Submit application for permit revision to reflect increased permitted facility boundary. The application must include a revised gas monitoring plan.	12/31/08

Prevent gas concentrations in excess of the lower explosive limit at the permitted facility boundary by revising landfill boundaries or by other means.	8/17/09
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The Local Enforcement Agency may at its discretion review and revise the compliance dates in the event compelling evidence demonstrates sufficiently changed circumstances that a different date is appropriate.

PURSUANT TO 30 PRC SECTIONS 45011, 45014 AND 45023, if the above actions are not completed or requirements complied with by the specified dates, the Glenn County Health Department may impose administrative civil penalties for each violation of a separate provision or, for continuing violations, for each day of that violation, against any person who intentionally or negligently violates any provision of this chapter or any applicable solid statute or regulation.

The Glenn County Health Department is not liable for injuries or damages to person or property resulting from acts or omissions by Respondents or related parties in carrying out activities pursuant to this Notice and Order. Nor shall the Local Enforcement Agency be held as a party to any contract entered into by Respondents or their agents in carrying out activities pursuant to the Notice and Order.

Nothing in this Notice and Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result, past, current, or future operations of Respondents. Notwithstanding compliance with the terms of this Notice and Order, Respondents may be required to take further actions as necessary to protect public health and safety or the environment.

This Notice and Order does not relieve the Respondent from complying with the provisions of the 1992 Solid Waste Facility Permit or any other local, state, or federal requirements.

This Notice and Order supersedes any notice of violation/warning, if applicable, and/or any previous Notice and Order to the Glenn County Planning and Public Works Agency. This Notice and Order is supported by the accompanying declaration of Donald J. Holm.

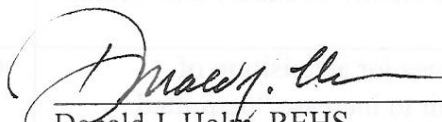
Notwithstanding this action, this Notice and Order does not preclude the Local Enforcement Agency or any other agency from taking any other action necessary to enforce laws and regulations pertaining to this Solid Waste Disposal Site.

You may appeal the decision to the Local Enforcement Agency within fifteen (15) days of the date of notification. A Request for Hearing before the Independent Hearing Panel can be made in accordance with Section 44310, California Public Resource Code.

DATED:

12/21/07

By:


Donald J. Holm, REHS
Director of Environmental Health
Glenn County Health Department